

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MATTHEW CATANZARO,

Plaintiff,

v.

CARR, ET AL.,

Defendants.

Case No. 10-14554

Honorable Nancy G. Edmunds

**ORDER ACCEPTING MAGISTRATE JUDGE'S REPORTS AND
RECOMMENDATIONS [71, 76, 81, 83]**

This matter has come before the Court on the Magistrate Judge's four separate Reports and Recommendations [71, 76, 81, 83]. Being fully advised in the premises and having reviewed the record and the pleadings, including the Reports and Recommendations ["R&Rs"], Plaintiff's objections to R&Rs # 76, 81, and 83, and Defendants' objections to R&R # 81, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Reports and Recommendations [71, 76, 81, 83].

It is further ordered that:

As to R&R # 71, Defendant Marble's partial motion to dismiss [32] is GRANTED, and Plaintiff's claims against Defendant Marble for retaliation and deliberate indifference relative to medical treatment for Plaintiff's irritable bowel syndrome are DISMISSED.

As to R&R # 76, Defendant Petty's motion for summary judgment [36] is GRANTED and the claims asserted against him DISMISSED, all claims against Defendant Henney are

DISMISSED pursuant to 28 U.S.C. § 1915A, and Plaintiff's cross motion for summary judgment [45] as to Defendants Petty and Henney is DENIED.

As to R&R # 81, Defendants Carr's, Souza's, Suarez's, King's and DeBoer's motion for partial summary judgment [35] is GRANTED, and Plaintiff's cross motion for summary judgment [45] as to these Defendants is DENIED. Defendant Tobias's motion for partial summary judgment [65] is GRANTED, and Plaintiff's cross motion for summary judgment as to Defendant Tobias [69] is DENIED.

As to R&R # 83, Defendants' motion for summary judgment [34] is GRANTED as to Defendants Czachowski, Hull, Brauer, Ludwick, and Olson and GRANTED IN PART and DENIED IN PART as to Defendants Adams and Pavlo. The only claim remaining against Defendants Adams and Pavlo is Plaintiff's Fourteenth Amendment Equal Protection/class of one claim. Plaintiff's cross motion for summary judgment [45] as to the Defendants addressed in R&R # 83 is DENIED.

Considering the Court's Acceptance and Adoption of R&Rs 71, 76, 81, and 83, the following claims remain:

1. Plaintiff's Fourteenth Amendment Equal Protection/class of one claim against Defendants Adams and Pavlo;
2. Plaintiff's Equal Protection claims against Defendants Carr, Souza, Suarez, King, DeBoer, and Tobias; and
3. Plaintiff's retaliation and deliberate indifference claims relative to medical treatment for Plaintiff's bladder condition asserted against Defendant Marble.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: October 20, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 20, 2011, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager